

Response
Serial No. 09/880,036
Attorney Docket No. 010734

REMARKS

Claims 1-3 are pending in the present application and are rejected.

Finality of the Office Action

The Examiner made the July 29, 2005 Office Action final. However, Applicant noted that this was improper. Applicant telephoned the Examiner on August 21, 2005 to request that the finality of the Office Action be removed, to which the Examiner consented. In an Interview Summary dated August 25, 2005, the Examiner agreed to remove the finality, and pledged to treat the response to the pending Office Action as a response to a non-final Office Action. Applicant thanks the Examiner for his assistance on this issue.

Applicant's Response to Claim Rejections under 35 U.S.C. §102

Claims 1-3 are rejected under 35 U.S.C. §102(b) as being anticipated by Calloway et al. (U.S. Patent No. 5,146,404).

The Office Action argues that **Calloway** discloses a part retrieving system for production machines utilizing a network as claimed. **Calloway** discloses an electronic maintenance support work station, which serves to replace the use of a paper catalog containing product part information. See column 1, lines 32-42. In this work station, part information is recorded on laser disk 15, and subsequently displayed on graphics screen 14. This information is hierarchically ordered as shown in Figs. 3A and 3B. Once the part required is identified, an order may be placed on the work station computer 24 and transmitted to a central computer 26. See

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column 4, lines 13-24. **Calloway** also discloses a local data base (unnumbered) in Figure 1B, with little discussion of its function.

The invention of the present application discloses a part retrieving system for production machines utilizing a network. In this system, a terminal 4 is connected to a server machine 2 containing parts database 1 via network 3. Parts database 1 contains machine part information 6. Terminal 4 also may use a portable storage medium 5 which also contains machine part information 6. As disclosed at page 13, line 12 to page 15, line 2 of the specification, the retrieval means of the terminal 4 may obtain machine part information 6 from either a portable storage medium 5 or the parts database 6 via the network 3. Once the machine part information 6 is retrieved from either of the above database 1 or portable storage medium 5, the ordering means is used to create order information depending on the result of the retrieval.

In response to the present rejection, Applicant respectfully argues that **Calloway** does not disclose "a terminal connected to a part database via a communication network for bi-directional communications," as recited by claim 1. **Calloway** discloses an electronic maintenance support work station (contained within the dotted line) comprising a work station computer 24, a video disk 15, and a local data base (unnumbered). The workstation also includes a modem for communicating with central computer 26. It is unclear from the Office Action whether the Examiner regards video disk 15 or the local data base (unnumbered) as a database. Laser disk 15 is disclosed as having information stored on it, although the role of the local data base (unnumbered) is not evident. See column 4, lines 50-60.

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However, Applicant argues that neither of these reads on the claims, because **Calloway** does not disclose “a terminal connected to a part database via a communications network for bidirectional communications.” The connection between video disk 15 and work station computer 24, as well as the connection between local data base (unnumbered) and work station computer 24, may be regarded as a *bus*, not a communications *network* for bi-directional communications. Therefore, regardless which of these the Examiner regards as a database, **Calloway** does not read on the claims, since neither video disk 15 or local data base (unnumbered) are connected via “a network for bidirectional communications.”

Furthermore, the central computer 26 of **Calloway** does not contain a database as claimed, because machine part information is not *requested* from central computer 26. As discussed above, workstation 24 *places orders* to be sent to central computer 26, but does not request machine part information from the central computer 26. See column 4, lines 13-24.

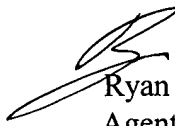

For at least the foregoing reasons, the claimed invention distinguishes over the cited art and defines patentable subject matter. Favorable reconsideration is earnestly solicited.

Should the Examiner deem that any further action by applicants would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone applicants' undersigned agent.

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If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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